S.B.Cr.Misc. II Bail App. No. 2204/2006
(Mal Singh Vs. State of Rajasthan)

Date of order : 01/06/2006

HON'BLE MR.H.R.PANWAR, J.

Mr. K.R.Choudhary, for the petitioner.

Mr. J.P.S.Choudhary, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State.

The first bail application came to be dismissed on 03.04.2006 as it was not pressed by the counsel for the petitioner since at that time the matter was at the investigation stage. Learned counsel for the petitioner submits that after investigation, the police has filed challan. He has placed on record the challan papers. I have carefully gone through the challan papers.

The petitioner has been implicated only on the ground that he is said to be owner of the vehicle which was found transporting the contraband poppy husk by an agreement. The petitioner was neither in the vehicle which was found transporting the contraband poppy husk nor was present at the place of occurrence.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by the counsel for the parties, without commenting on the merit of the case, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this second bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Mal Singh S/o Prem

Singh be released on bail in FIR No. 83/2005 P.S. Samdari, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP